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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

In re REFCO INC. SECURITIES LITIGATION

Case No. 07-md-1902 (GEL)

This Document Relates to:

KENNETH M. KRYS and CHRISTOPHER STRIDE, as JOINT OFFICIAL LIQUIDATORS of SPHINX LTD., SPHINX STRATEGY FUND

SPHINX PLUS SPC LTD., SPHINX DISTRESSED LTD., SPHINX MERGER ARBITRAGE LTD.; SPHINX SPECIAL SITUATIONS LTD., SPHINX MACRO LTD.; SPHINX LONG/SHORT EQUITY LTD.;

SPHINX MANAGED FUTURES LTD.; SPHINX **EOUITY MARKET NEUTRAL LTD.: SPHINX** CONVERTIBLE ARBITRAGE LTD.; SPHINX FIXED INCOME ARBITRAGE LTD.; SPHINX DISTRESSED FUND SPC; SPHINX MERGER ARBITRAGE FUND SPC; SPHINX SPECIAL SITUATIONS FUND SPC; SPHINX MACRO FUND SPC; SPHINX LONG/SHORT EQUITY FUND SPC: SPHINX MANAGED FUTURES

FUND SPC; SPHINX EQUITY MARKET NEUTRAL FUND SPC; SPHINX CONVERTIBLE ARBITRAGE FUND SPC; SPHINX FIXED INCOME ARBITRAGE FUND SPC; PLUSFUNDS MANAGED ACCESS FUND SPC LTD.; KENNETH M. KRYS and

CHRISTOPHER STRIDE as assignees of claims assigned by MIAMI CHILDREN'S HOSPITAL FOUNDATION, OFI, GREEN & SMITH **INVESTMENT MANAGEMENT LLC, THALES** FUND MANAGEMENT LLC, KELLNER DILEO & CO., LLC, MARTINGALE ASSET MANAGEMENT LP, LONGACRE FUND

MANAGEMENT LLC, ARNHOLD & S. BLEICHROEDER ADVISERS LLC, PICTET & CIE, RGA AMERICA REINSURANCE

COMPANY, DEUTSCHE BANK (SUISSE) SA.

Case No. 08-cv-3065 (GEL) Case No. 08-cv-3086 (GEL)

ECF Case

ACKNOWLEDGEMENT

OF SERVICE

ARAB MONETARY FUND, HANSARD
INTERNATIONAL LTD., CONCORDIA
ADVISORS LLC, GABELLI SECURITIES, INC.,
CITCO GLOBAL CUSTODY; and JAMES
P. SINCLAIR as Trustee of the SPHINX TRUST,

Plaintiffs.

-against-

CHRISTOPHER SUGRUE; MARK KAVANAGH; BRIAN OWENS; PRICEWATERHOUSECOOPERS L.L.P.; MARI FERRIS; PRICEWATERHOUSECOOPERS CAYMAN ISLANDS; GIBSON, DUNN & CRUTCHER LLP; REFCO ALTERNATIVE INVESTMENTS LLC; GRANT THORNTON LLP; MARK RAMLER; ERNST & YOUNG U.S. LLP; MAYER BROWN LLP f/k/a MAYER BROWN ROWE & MAW LLP; JOSEPH COLLINS; EDWARD S. BEST; PAUL KOURY; PHILLIP R. BENNETT; ROBERT C. TROSTEN; TONE GRANT; SANTO MAGGIO; THOMAS HACKL; DENNIS KLEJNA; BAWAG P.S.K. BANK FUR ARBEIT UND WIRTSCHAFT UND OSTERREICHISCHE POSTPARKASSE AKTIENGESELLSCHAFT; JP MORGAN CHASE & CO.; **CREDIT SUISSE SECURITIES** (USA) LLC f/k/a CREDIT SUISSE FIRST **BOSTON LLC: BANC OF AMERICA** SECURITIES LLC; THOMAS H. LEE PARTNERS, L.P.; THOMAS H. LEE ADVISORS, LLC; THL MANAGERS V, LLC; THL EQUITY ADVISORS V, L.P.; THOMAS H. LEE EOUTTY FUND V. L.P.; THOMAS H. LEE PARALLEL FUND V, L.P.; THOMAS H. LEE EQUITY (CAYMAN) FUND V, L.P.; THOMAS H. LEE INVESTORS LIMITED PARTNERSHIP; 1997 THOMAS H. LEE NOMINEE TRUST: THOMAS H. LEE; DAVID V. HARKINS; SCOTT L. JAECKEL; SCOTT A. SCHOEN; WILLIAM T. PIGOTT; LIBERTY CORNER CAPITAL STRATEGIES, LLC; EMF FINANCIAL PRODUCTS LLC; EMF CORE FUND LTD.; DELTA FLYER FUND LLC; ERIC M. FLANAGAN; INGRAM MICRO, INC.; CIM VENTURES, INC.; BECKENHAM TRADING CO., INC.; ANDREW KRIEGER; COAST ASSET MANAGEMENT, LLC, f/k/a COAST ASSET MANAGEMENT LP; CS LAND MANAGEMENT LLC; CHRISTOPHER PETITT; and REFCO GROUP HOLDINGS, INC.; and REFCO ASSOCIATES, INC.,

Defendants

endants

The undersigned, counsel for Bank für Arbeit und Wirtschaft und Österreichische Postparkasse Aktiengesellschaft ("BAWAG"), a defendant in the above-captioned action, states that he/she is duly authorized by BAWAG to accept service of the Summons and Complaint on behalf of BAWAG as of this date and hereby acknowledges proper service of the Summons and Complaint without waiving any defense available to BAWAG except as to service of process. The undersigned specifically acknowledges that BAWAG has waived the right to be served in Austria pursuant to a letter rogatory and the right to be served with a German translation of the Summons and Complaint.

July 1,2008 Dated: June 27,2007

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